



<b>Title:</b> Progressive Discipline Policy	<b>Internal/ External</b>
<b>Department:</b> Corporate Services- Human Resources	<b>Policy Number</b> CS-009
<b>Approval Date:</b> March 04, 2014	<b>Implementation Date:</b> March 05, 2014

## BACKGROUND

For the Town of Paradise to provide the highest quality services possible for its residents, it is crucial that the Town maintain a high standard of employee conduct. Employees' performance and conduct should contribute to the achievement of the organizations goals and objectives.

*There are a wide range of instances during which disciplinary action may be required. Some examples include but are not limited to:*

- In the event an employee has not satisfactorily met work requirements.
- In the event an employee has breached the employers' policies.
- In the event an employee acts in a way deemed inappropriate for the workplace.
- In the event that an employee's off duty conduct has a detrimental impact on the employment relationship.

The guidelines provided in this policy are a final stage in improving employee conduct and performance. Wherever possible, coaching as outlined in the Performance Evaluation Policy is to be utilized. If a change in conduct does not result, the Progressive Discipline Policy will be consulted.

## PURPOSE

This policy aims to provide a standardized practise for acknowledging and correcting behaviours that fall below the high standard the Town of Paradise holds regarding performance and conduct.

## DEFINITIONS

*Discipline* refers to an action imposed by the employer as a means to alter an employees' inappropriate conduct or poor performance and/or clarify expected conduct or performance.

*Personal file* is the official employer file that contains information relevant to individual employees and their employment. There is only one personal file.

*Progressive Discipline* refers to an increase in severity of disciplinary measures to correct behaviours and to improve an employees' performance and/or conduct to meet the employer's expected standards. The measures may be verbal or written reprimands, suspension or termination. Serious offences may result in immediate suspension or termination.

*Supervisors* are the persons to whom employees report to.

*Workplace* refers to the location where employees carry out their work duties which includes but is not limited to the Town Hall, Depot and all Recreation facilities.

## POLICY STATEMENT

This policy applies to all employees. Bargaining unit employees should also consult their respective collective agreement. When the employees' conduct or performance fails to meet the employer's expectations, corrective action may be taken using progressive discipline. This policy is to be referenced in the event that feedback from performance evaluations as outlined in the Performance Evaluation Policy is not implemented. However, serious offences may result in immediate suspension or dismissal without progressing through verbal or written reprimands.

## GUIDELINES AND PROCEDURES

### 1. Responsibilities

#### a. Employees

Must ensure they are aware of and fulfill work expectations. They must act in a respectful manner in the performance of their duties and interactions with co-workers, managers, residents and contractors. Employees are responsible for adhering to the employers policies and must be aware that their off duty conduct may impact their employment relationship.

#### b. Supervisors

Must advise employees of their expectations for conduct and performance as well as manage employees effectively by providing ongoing feedback on work performance and conduct. Supervisors must oversee probationary employees and provide direction on corrective action during the probationary period and administer the Progressive Discipline Policy in consultation with their respective Department Directors and Human Resources.

#### c. Human Resources

The Corporate Services Department is responsible for advising and consulting with Departmental Managers in respect of any disciplinary matter. This is to be achieved through the provision of policy interpretation, education and skill development training and guidance to all departments as it relates to the administration of discipline. They must also assist Managers to ensure appropriate documentation is maintained in employees' personal files. It is their

responsibility to ensure this policy is enforced in a fair and consistent manner providing revisions and review of the Progressive Discipline Policy as is appropriate.

## 2. Steps of Progressive Discipline.

*In the event that feedback given as outlined in the Performance Evaluation Policy is not adhered to; following the occurrence of either of the aforementioned instances or any other instance deemed by the employer to require disciplinary action, the employee should be informed of the following throughout the disciplinary process:*

- A description of the incident(s), including evidence or the results of any investigation and the date of the incident(s);
- An explanation of why the behaviour is problematic ;
- Any previous discipline for the same or related conduct;
- The expectations for performance and conduct ;
- Any supports available to assist the employee to correct the behaviour; and
- The consequences of failing to correct the undesired behaviour.

Prior to any disciplinary action, feedback should be provided to the employee as outlined in the Performance Evaluation Policy.

An employee must be informed by the Supervisor that he/she is required to attend a meeting regarding discipline. Bargaining unit employees must also be advised that they are entitled to be accompanied by a union representative to this meeting.

Written notifications for discipline must be delivered to the employee either in person or by registered or certified mail. For bargaining unit employees, the respective collective agreement provisions must be followed.

*The progressive discipline process is comprised of the steps below, increasing in severity upon the re-occurrences of misconduct or poor performance:*

- (i) **Verbal Reprimand** : An employee may be verbally reprimanded by a Supervisor as a mechanism to impose discipline. Verbal reprimands are to be delivered in confidence with the employer maintaining respect toward the employee.
- (ii) **Written Reprimand** : An employee may be issued a written reprimand as a mechanism to impose discipline by the Supervisor. Employees must be notified that a copy of the *Written Reprimand Form* will be placed in their personal file.
- (iii) **Suspension**: An employee may be suspended without pay as a mechanism to impose discipline by the Supervisor, in consultation with the Corporate Services Department.

The written notification of the suspension without pay will be issued by the Supervisor, or the Corporate Services Department.

Employees who are suspended without pay are not entitled to receive wages during the period of suspension nor are they permitted to use accumulated leave or overtime or receive payment for a statutory holiday that occurs during the suspension period. When either a unionized or non-unionized employee is suspended, leave entitlements will be reduced proportional according to the Collective Agreement.

- (iv) **Termination with cause:** When an employee's misconduct or poor performance is severe enough that the employment relationship is irreparably damaged, the employer may terminate the employment relationship with cause.

### 3. Workplace Investigations and Disability

Discipline is to be administered as soon as possible following the occurrence of the incident. Where a workplace investigation is required it is to be undergone expeditiously. Further, where discipline is recommended upon the conclusion of an investigation, it should be initiated as soon as possible. For bargaining unit employees, the respective collective agreement provisions, including timelines for discipline and entitlement to have a representative present during discipline meetings, must be followed.

In situations in which the Department decides that an employee should be removed from the workplace while an investigation is ongoing, the employee would be removed from the workplace and his/her duties with pay.

When an employee has not met his/her work requirements and/or has demonstrated misconduct and the Department's representatives have reason to believe that the employees' actions may be related to a disability as defined in the *Human Rights Act 2010*, the Department has an obligation to inquire whether that poor performance is related to the employee's disability.

### 4. Off Duty Conduct

*The employer may administer discipline to employees for off duty conduct if such conduct:*

- Detrimentially affects the reputation of the employer
- Renders the employee unable to properly discharge his or her employment obligations
- Causes other employees to refuse to or to be reluctant to work with that employee
- Inhibits the ability of the employer to effectively manage and direct its operations
- Erodes the employer's trust in the employee to the point that the employment relationship is irreparably damaged.

### 5. Appeals

Bargaining Unit employees who are subject to any disciplinary action will have access to applicable grievance or review procedures. Non-Bargaining Unit employees are to submit an appeal in writing within five (5) days for consideration/ review by the Chief Administrative Officer.

6. Personal File

Written notice of disciplinary action must be added to the employee's personal file by the employee's Manager in consultation with the Corporate Services Department. Any written notice of disciplinary action added to the employee's personal file may, at the request of the employee, be removed after one year, provided there has not been a recurrence of a similar incident during that period.

POLICY REVIEW

This policy will be reviewed on an annual basis by the Department of Corporate Services.

Chief Administrative Officer: *Rebecky Cumby* Date: *March 14/14*

Written Reprimand Form

*The following form is to be completed by a Supervisor as the second stage of Progressive Discipline where verbal reprimand is deemed to have been unsuccessful. A copy of this form is to be placed in the employees' personal file and may be removed at the request of the employee, after one year, provided there has not been a recurrence of a similar incident during that period.*

Employee Name: \_\_\_\_\_

Employee Position: \_\_\_\_\_

Date: \_\_\_\_\_

Description of incident:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Why the incident is problematic:

\_\_\_\_\_  
\_\_\_\_\_

Expectations for performance/conduct (where possible refer to an existing policy):

\_\_\_\_\_  
\_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Signature: \_\_\_\_\_